

1 BARRY J. PORTMAN
Federal Public Defender
2 SHAWN HALBERT
Assistant Federal Public Defender
3 555 12th Street, Suite 650
Oakland, CA 94607
4 Tel: (510) 637-3500
5 Counsel for Defendant VINCENT

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)
12) No. 08-00034 CW
Plaintiff,)
13)
v.) STIPULATION AND [PROPOSED]
14) ORDER TO CONTINUE HEARING
MITCHELL CHARLES VINCENT,) DATE FROM APRIL 2, 2008 TO JUNE
15) 4, 2008 AND FOR EXCLUSION OF
Defendant.) TIME; ORDER FOR PREPARATION
16) OF CRIMINAL HISTORY PRE-PLEA
REPORT

17
18 Defendant Mitchell Charles Vincent is scheduled to appear in court on Wednesday, April 2,
19 2008 for change of plea or setting. The parties believe that they have reached an agreement pursuant
20 to Rule 11(c)(1)(C) and agree that it would be beneficial to have a Pre-Plea Presentence
21 Investigation Report calculating only criminal history. Thus, the parties request that the Court order
22 that U.S. Probation prepare a Pre-plea Presentence Investigation report and that the next court date
23 in this matter be continued to June 4, 2008 (or some date thereafter convenient to the Court) for
24 change of plea and sentencing. As the government will submit the proposed plea agreement to the
25 Court, the parties further stipulate and agree that the time between April 2, 2008 and June 4, 2008
26 should be excluded from calculations under the Speedy Trial Act, 18 U.S.C. §3161(h)(1)(I) for

1 consideration by the Court of a proposed plea agreement to be entered into by the defendant and the
2 attorney for the government.

3 SO STIPULATED.

4 Dated: April 1, 2008 /S/

5
SHAWN HALBERT
Assistant United States Attorney

6 SO STIPULATED.

7 Dated: April 1, 2008 /S/

8
WADE RHYNE
Assistant United States Attorney

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10 I hereby attest that I have on file all holograph signatures for any signatures indicated by
11 a "conformed" signature (/S/) within this e-filed document.

12
13 **ORDER**

14 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the ORDER
15 of this Court that the above-captioned matter, which is currently set for April 2, 2008 for setting or
16 change of plea, be continued to June 4, 2008, at 2:00 p.m.

17 IT IS FURTHER ORDERED THAT U.S. Probation shall prepare a Pre-Plea Presentence
18 Investigation Report calculating only criminal history and shall submit such report to the parties and
19 the Court no later than May 28, 2008.

20 Based on the reasons provided in the stipulation of the parties above, the Court hereby
21 ORDERS that the time between April 2, 2008 and June 4, 2008 should be excluded from
22 calculations under the Speedy Trial Act, 18 U.S.C. §3161(h)(1)(I) for consideration by the Court of
23 a proposed plea agreement to be entered into by the defendant and the attorney for the government.

24 Dated: April ___, 2008

25
CLAUDIA WILKEN
United States District Judge